

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA)

v.)

FRANCISCO)

TEJADA-LANDAVERDE)

**CRIMINAL ACTION NO.
1:09-CR-475-WSD-CCH-1**

ORDER AND OPINION

This matter is before the Court on Defendant Francisco Tejada-Landaverde's ("Defendant") Motion to Suppress Oral and Written Statements ("Motion to Suppress") [54].

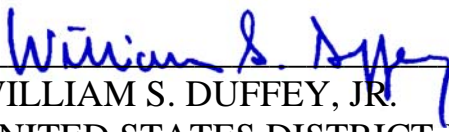
In Magistrate Judge C. Christopher Hagy's February 5, 2010, Report and Recommendation ("R&R") [80], Judge Hagy noted that the Government, at the February 3, 2010, evidentiary hearing on the motion, advised Defendant that it did not intend to introduce any oral or written statement of the Defendant and thus the Government did not oppose the Motion to Suppress. Accordingly, the Magistrate Judge recommended in the R&R that the motion be granted.

Having reviewed the Magistrate Judge's R&R for plain error, and based on the reasons stated above,

IT IS HEREBY ORDERED that the Court **ADOPTS** the Report and Recommendation of Magistrate C. Christopher Hagy [80].

IT IS FURTHER ORDERED that Defendant Franscisco Tejada-Landaverde's Motion to Suppress Oral and Written Statements [54] is **GRANTED**.

SO ORDERED this 19th day of August, 2010.



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE